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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SIERRA CLUB, GREAT BASIN RESOURCE)	Case No. 3:08-cv-01409-WHA
WATCH, AMIGOS BRAVOS, and IDAHO)	
CONSERVATION LEAGUE,)	
)	STIPULATED MOTION RE CASE
Plaintiffs,)	SCHEDULE AND [PROPOSED] ORDER
)	
v.)	
)	
STEPHEN JOHNSON, Administrator, United)	
States Environmental Protection Agency, and)	
MARY E. PETERS, Secretary, United States)	
Department of Transportation,)	
)	
Defendants,)	
)	
and)	
)	
SUPERFUND SETTLEMENTS PROJECT,)	
RCRA CORRECTIVE ACTION PROJECT,)	
and AMERICAN PETROLEUM INSTITUTES,)	
)	
Defendant-Intervenors.)	

Plaintiffs Sierra Club, et al., federal defendants Stephen Johnson, et al., and defendant-intervenors Superfund Settlements Project, RCRA Corrective Action Project, and American Petroleum Institute have conferred to discuss case management and schedule and jointly request the following modifications to the existing schedule.

The federal defendants have moved to dismiss this action, arguing that the Court lacks subject matter jurisdiction and that venue in this Court is improper. Hearing on the motion is currently set for June 26, 2008. Plaintiffs disagree with defendants and intend to oppose the motion. Due to prior work commitments, the parties request a modification to the briefing schedule established by the local rules and a new hearing date. The parties propose to revise the schedule as follows:

1 Plaintiffs' opposition to motion to dismiss: June 18, 2008
2 Defendants' and Intervenor's reply: July 3, 2008
3 Hearing on motion: July 17, 2008 at 8:00 a.m.

4 Additionally, the parties jointly propose that (1) the deadlines for ADR certifications, the
5 Rule 26(f) report, and the joint case management statement and (2) the case management
6 conference currently scheduled for June 19, 2008 be continued until the motion to dismiss is
7 resolved.

8 Respectfully submitted this 28th day of May 2008.

9
10 /s/ Jan Hasselman

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Local Co-Counsel for Intervenors

[PROPOSED] ORDER

It is so ordered.

DATED this _____ day of May, 2008.

THE HONORABLE WILLIAM H. ALSUP
United States District Court Judge